

**REMARKS**

In accordance with the foregoing, claim 1 has been amended. New claims 17 and 18 have been added. Therefore after entry of the foregoing claim amendments, claims 1-7 and 9-18 will be pending and under examination. No new matter is being presented, and approval of the amended and new claims is respectfully requested.

***Rejections under 35 U.S.C. §103(a)***

Claims 1, 3-7 and 14 stand rejected as being unpatentable over Martin et al. (U.S. 6,741,855) (hereinafter “Martin”) in view of Karn (U.S. 2003/0147095). The rejections are respectfully traversed and reconsideration is requested. The following is a comparison between embodiments of the present invention and the cited art.

Independent claim 1 is amended herein to recite “a processing unit to process the received mail as a regular mail if the judgment of the judging unit is negative.” (See for support FIG. 9 of the original application (for example, S03 and S04)).

According to the above features, the terminal device recited to amended claim 1 is configured to (i) perform processing according to a command declaration if the command declaration is included in a received mail, and (ii) process the received mail as a regular mail if the command declaration is not included in the received mail.

*(Martin et al.)*

Martin discloses a server that receives a command message included in a mail, interprets the command message included in the mail, performs processing in accordance with a result of the interpretation, and transmits the result to the transmitter. However, Martin neither teaches nor suggests processing that is performed when receiving a mail without a command message. That is, Martin does not teach or suggest processing the received mail as regular mail if a judging unit judges that a command declaration is not included therein.

In fact, according to Martin, the device that receives the command message is the server, and is not used by a user to transmit/receive a regular mail. Therefore, it is understood that the technology of Martin relies on the precondition that a mail received by the server *always includes a command message*.

(*Karn*)

Karn discloses technology for creating a list of received mails. Karn is merely cited as disclosing that a received date with respect to each received mail is displayed in a list. However, Karn neither teaches nor suggests a processing unit to process the received mail as a regular mail if the judgment of the judging unit is negative, as recited in amended claim 1, and is not cited as doing such.

Therefore, it is respectfully submitted that amended independent claim 1 patentably distinguishes over the cited art, alone or in combination. The pending dependent claims inherit the patentability of amended claim 1 and are submitted to be allowable for at least the foregoing reasons.

Dependent claims 2, 9, 10, 11, 12, 13, 15 and 16 stand rejected as being unpatentable over Martin in view of Karn, and further in view of either Satoh (EP 0881587), Farnham et al. (U.S. 2003/0158855), Hatakama et al. (U.S. 2002/0147661), Theimer (U.S. Patent No. 6,519,241) or Rouse et al. (U.S. Patent No. 6,757,530). However, the dependent claims inherit the patentability of independent claim 1 and should be allowable for at least the foregoing reasons.

(*Satoh*)

Further, Satoh discloses technology for including a password in a command mail, and verifying the password before opening the mail. However, Satoh neither teaches nor suggests the features of independent claim 1 described above.

*(Farnham et al.)*

Farnham et al. discloses that symbols are used to indicate an event on a list. However, Farnham et al. neither teaches nor suggests the features of independent claim 1 described above.

*(Hatakama et al.)*

Hatakama et al. discloses technology for displaying a list including stored pictures. However, Hatakama et al. neither teaches nor suggests the features of independent claim 1 described above.

*(Theimer)*

Theimer discloses a mobile phone having functions of a web server. However, Theimer neither teaches nor suggests the features of independent claim 1 described above.

*(Rouse et al.)*

Rouse et al. discloses a system in which a user sends a request to view a list of unread emails which is then displayed on the user's phone via the internet. However, Rouse et al. neither teaches nor suggests the features of independent claim 1 described above.

It is submitted, therefore, that none of the cited references, alone or in combination, teaches or suggests the foregoing features of independent claim 1, as amended.

### ***New Claims 17 and 18***

The new dependent claims inherit the patentability of independent claim 1 and, thus, are submitted to be in condition for allowance for at least the reasons presented herein. It is further submitted that the new claims 17-18 recite features that enhance the usability of the terminal device, and are not taught or suggested by the cited art.

Support for the new claims may be found throughout the application, and particularly in original claims 1 and 8, and p. 5, lines 24-28, p. 7, lines 4-10, and Fig. 6.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542014100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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